

REMARKS

Although the Examiner's Response to Arguments beginning on page 8 of the Office Action shows that the Examiner appears to have reviewed the amended claims, the rejection under 35 U.S.C. §112, first paragraph (Final Office Action, page 2) is substantially directed to language of the claims that has been deleted. In particular, the Examiner states:

Claim 1-Simulating estimated service performance: how does one simulate and what is used to simulate? What is an estimated performance and what information is used to get an estimate?

However, claim 1 no longer claims an "estimated" performance. See below:

1. (Currently amended) [[A]] An automated method performed on an information processing system for providing information services comprising a means for controlling brokering and booking resources for offering a service (the means will be referred to as in which a brokering means hereinafter) intervening intervenes between resources for information processing services to be offered by a plurality of providers of the resources for information processing

~~services and administrators of operating information service systems including computer platforms (both the providers and administrators will be referred to as service resource providers hereinafter) and users of said resources, said brokering means holding credit data including resource performance data for the resource providers, said brokering means~~ method comprising the steps of:

~~receiving~~ inputting performance request specifications of said resources for a user-desired service from the user;

simulating ~~estimated~~ service performance of said resources, based on said request specifications and ~~said~~ credit data including resource performance data, thereby allocating one or more combinations of ~~serviceable~~ said resources that satisfy, in the aggregate, said request specifications;

~~issuing~~ outputting a resource reservation ticket to the user, the ticket including data that entitles the user to utilize said one or more combinations of said resources based on said allocation; and

placing an order with the service resource providers for said one or more combinations of said resources, thereby booking the ordered resources for the user.

Also:

Claim 3-How does the average time get estimated? How is the maximum time determined? What information is used to estimate? What is the basis for the estimation?

However, claim 3 also does not claim average time, maximum time, or estimation, as a result of the amendments:

3. (Currently amended) The automated method ~~for providing information services~~ as recited in claim 1, wherein data to be written to the resource reservation ticket ~~to be traded~~ includes a requested service type and service performance data in which a ~~maximum time and average time estimated to be taken~~ reserved time to execute the information processing service are specified, and the brokering means performs at least either estimating whether the service provider resources can execute the information processing service described in the performance request specifications or estimating how well the service provider resources satisfy the performance request specifications.

Continuing from the Final Office Action, page 3:

Claim 4-claim states re-calculation, there is no initial formula calculation let alone a second formula that would allow for one skilled in the art to know how to re-calculate or what to use in the calculations.

However, claim 4 no longer recites "re-calculation":

4. (Currently amended) The automated method ~~for~~ ~~providing information services~~ as recited in claim 1, further including a ~~means for~~ step of re-estimating the performance of service provider resources for an additional order, ~~said means~~ ~~to re-calculate resource performance specification parameters~~ ~~necessary and sufficient for executing the information~~ ~~processing service specified in the user's performance request~~ ~~specifications~~ and ~~present the~~ presenting data of the calculated performance specification parameters to the service resource providers if said brokering means estimates that the resources cannot execute the information processing service specified in the performance request specifications within ~~the maximum~~ a predetermined reserved time.

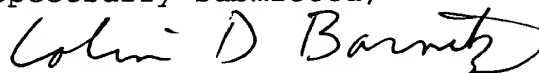
The rejection of claim 10 can be addressed after the Applicant has considered the Examiner's reply to the above points.

Moreover, the prior art rejection over Mandler, beginning on page 3 of the Final Office Action, states that the Examiner "has applied the above reference [Mandler] to the claims as the examiner is best able to understand the claims." Final Office Action at page 4, lines 1-2. But then the Examiner goes on to reject the claims for their recital of numerous limitations that do not form part of the amended claims (e.g., "brokering means holding credit data including resource performance data for the resource providers"). Moreover, the rejection does not address limitations added to the claims, such as "simulating service performance of said resources, based on said request specifications and credit data including resource performance data, thereby allocating one or more combinations of said resources that satisfy, in the aggregate, said request specifications," and "outputting a resource reservation ticket to the user, the ticket including data that entitles the user to utilize said one or more combinations of said resources based on said allocation."

The above examples are not exhaustive, but are sufficient to support this Request.

In view of the foregoing examples, the Applicant submits that a new Office Action fully addressing the amended claims is warranted. Accordingly, the Applicant respectfully requests withdrawal of the Office Action, with full consideration given to the amendments and remarks submitted August 23, 2005.

Respectfully submitted,



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